

**SUBJECT: TENANCY STRATEGY**

**DIRECTORATE: HOUSING AND INVESTMENT**

**REPORT AUTHOR: PAULA BURTON, ASSISTANT DIRECTOR OF HOUSING MANAGEMENT**

## **1. Purpose of Report**

- 1.1 For Housing Scrutiny Sub Committee to consider the contents of this report and the Tenancy Strategy before it proceeds to Executive Committee.

## **2. Background**

- 2.1 The Localism Act 2011 introduced a number of changes for social housing, including the requirement for local authorities to produce and publish a Tenancy Strategy for their area.
- 2.2 The main purpose of a Tenancy Strategy is to make best use of existing housing stock with mechanisms such as flexible tenancies, succession rights and affordable rented tenures.
- 2.3 The strategy sets out City of Lincoln Council's (CoLC) preferred approach to managing existing registered providers housing stock. The legislation clearly states that Registered Providers should "have regard" to the Local Authority Strategies when developing their own Tenancy Policies. However, the Strategy has no statutory weight, but can help to guide Registered Providers to achieve a consistent approach across the sector to ensure best use of housing tenures.
- 2.4 In 2013, City of Lincoln Council, North Kesteven District Council and West Lindsey District Council produced a joint Central Lincolnshire Tenancy Strategy. This strategy set out the differing approaches across each district and aligned the authorities across the housing market area within one strategy.
- 2.5 After discussions with North Kesteven District Council and West Lindsey District Council it was agreed that each local authority would introduce individual Tenancy strategies due to the variety of registered providers operating across the districts and that each Local Authority may need to take differing approaches due to not all being stock holding authorities.
- 2.6 This review provides City of Lincoln Council the opportunity to reflect the previous strategy and ensure the right tenancy strategy and variances based on housing need is in place for the City of Lincoln.
- 2.7 The Localism Act 2011 states that new strategies must be consulted with known registered providers with housing stock within the area. A consultation of the draft strategy was sent out to all known Registered Providers operating within the City during December 23. This approach is to assist with comparing the previous

strategy, but also to validate that Registered Providers have been all operating in a similar way for a consistent approach across the sector.

- 2.8 Responses received as part of the consultation are within Appendix 2. It should be noted that only certain providers have responded and we will continue to chase for feedback leading up to the final draft strategy being presented to Executive.

### **3. City of Lincoln Council Tenancy Strategy**

- 3.1 The Tenancy Strategy specifies the different registered providers operating within the City and the types of tenures which are being used when housing tenants. The strategy provides a framework of which tenancies Registered Providers will grant and the exceptions to granting, for example a licence to occupy.
- 3.2 The strategy ensures that Registered Providers are providing tenancies compatible with the purpose of the accommodation provided, considering the housing needs of individuals and households, sustainability of the community and making best use of housing stock.
- 3.3 This strategy takes a simpler approach to the mechanisms available within the Localism Act 2011 and focuses on the following areas:
- Fixed/Flexible Tenancies
  - Reviewing fixed tenancies
  - Starter/ Introductory tenancies
  - Assured Tenancies
  - Secure tenancies
  - Non-secure tenancies
  - Licenses
  - Family Intervention tenancies
  - The use of Demoted tenancies
  - Existing social tenants, security of tenure
  - Succession
  - Affordable Rent
  - Intermediate Rent
  - Tenancy reviews
- 3.4 The draft tenancy strategy is attached as Appendix 1 for reference.
- 3.5 The Tenancy Strategy will be reviewed every three years to ensure compliance with current legislation and as part of a validation exercise to ensure Registered Providers are letting homes in line with the Tenancy Strategy. This three year review will include checking Registered Providers policies to ensure they meet the Housing Strategy. If there are minor housekeeping changes, it is suggested, that these be delegated to the Director for Housing and Investment and the Housing Portfolio member for approval. The strategy can also be updated at any time through the usual governance process should new legislation or guidance be issued that would have an impact on the strategy.

## **4. Strategic Priorities**

### **4.1 Let's reduce all kinds of inequality**

This Strategy will support registered providers, tenants and potential applicants on the housing register to be aware of the types of tenure available to them. Reducing inequality forms part of the processes being followed by the Local Authority and Registered Providers when allocating housing via Lincs Homefinder.

### **4.2 Let's deliver quality housing.**

The Tenancy Strategy states the different tenancy types and the security of tenure attached to each which would be expected of a registered provider. Publishing this information enables registered providers, applicants and tenants to be clear on the tenure types which should be used. This strategy also sets out how City of Lincoln Council would like to see Registered Provider partners making best use of their existing housing stock and in turn going some way to meeting the housing need of the residents.

## **5. Organisational Impacts**

### **5.1 Finance**

There are no direct financial implications relating to this strategy.

### **5.2 Legal Implications including Procurement Rules**

There are no legal implications specifically for the implementation of this strategy, However, it should be noted that a tenant will sign up to the terms set out in their tenancy or licence, and any variations should be explained by the registered provider to the tenant and understood before the tenancy or licence is signed.

There are no procurement implications with the introduction of this policy.

### **5.3 Equality, Diversity and Human Rights**

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

This Tenancy Strategy details the tenure types available across the City by which Registered Providers and how these tenures are managed. Equality, Diversity and Human Rights form part of the processes being followed and housing is based on criteria set out within Lincs Homefinder based on housing need or internal policies and processes where direct lettings may take place.

An Equalities Impact Assessment has been completed for this strategy and is attached as Appendix 4. No negative impacts have been identified.

#### **5.4 Human Resources**

No known staffing impacts. This strategy is for Registered Providers to “have regard to” when implementing their own Tenancy Policies as per the Localism Act 2011 and so no resource is required to deliver this strategy. Reviewing the strategy when required will be delivered within the Housing Strategy and Investment Manager role.

#### **5.5 Land, Property and Accommodation**

The strategy advises registered providers, tenants and applicants of the tenancy types and licences operating within the City.

#### **5.6 Corporate Health and Safety Implications**

The strategy does not have any known corporate health and safety implications.

### **6. Risk Implications**

#### **6.1 (i) Options Explored**

##### **Revised Tenancy Strategy Not Introduced**

The Central Lincolnshire Tenancy Strategy is no longer updated centrally and therefore should not be relied upon. Failure to introduce a revised strategy could result in CoLC not meeting all terms of the Localism Act 2011.

##### **Implement Tenancy Strategy (Preferred Option)**

The introduction of the revised Tenancy Strategy provides a clear and useful strategy for all Registered Providers operating within the City to ‘have regard’ to the CoLC’s strategies when delivering their tenancy policies.

### **7. Recommendation**

#### **7.1 To consider the contents of the Tenancy Strategy before it progresses to Executive Committee for approval.**

**Is this a key decision?**

No

**Do the exempt information categories apply?**

No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?**

No

**How many appendices does the report contain?**

4

**List of Background Papers:**

None

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